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By: **Delegates Branch, W. Baker, Edwards, Griffith, and Proctor**  
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Committee Report: Favorable  
House action: Adopted  
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CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **Law Enforcement Officers' Pension System - Membership**

3 FOR the purpose of providing certain law enforcement officers with the option to  
4 participate in the Law Enforcement Officers' Pension System on or before a  
5 certain date; and generally relating to the election for certain law enforcement  
6 officers to participate in the Law Enforcement Officers' Pension System.

7 BY repealing and reenacting, with amendments,  
8 Article - State Personnel and Pensions  
9 Section 26-202  
10 Annotated Code of Maryland  
11 (1997 Replacement Volume and 2001 Supplement)

12 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF  
13 MARYLAND, That the Laws of Maryland read as follows:

14 **Article - State Personnel and Pensions**

15 26-202.

16 (a) Except as provided in subsection (b) of this section, an individual described  
17 in § 26-201 of this subtitle is a member of the Law Enforcement Officers' Pension  
18 System as a condition of employment.

19 (b) (1) Subject to paragraph (2) of this subsection, membership in the Law  
20 Enforcement Officers' Pension System is optional for an individual described in §  
21 26-201 of this subtitle:

1 (i) who was employed by the Department of Natural Resources on  
2 July 1, 1990 and who elects membership on or before December 31, [1997] 2002;

3 (ii) who was employed by the Field Enforcement Division on June  
4 30, 1995 and who elects membership on or before December 31, [1997] 2002;

5 (iii) who was employed by the Maryland Transportation Authority  
6 on June 30, 1997 and who elects membership on or before December 31, [1997] 2002;

7 (iv) who was employed by the Baltimore City Sheriff's Department  
8 on June 30, 1997 and who elects membership on or before December 31, [1997] 2002;

9 (v) who was employed by the University of Maryland Police Force  
10 on June 30, 1999 and who elects membership on or before December 31, [1999] 2002;

11 (vi) who is employed by a participating governmental unit on the  
12 effective date of participation on or after July 1, 1999 for that participating  
13 governmental unit and who elects membership within 6 months of the effective date  
14 of participation;

15 (vii) who was employed by the Maryland Port Administration Police  
16 Force and was subsequently transferred to and employed by the Maryland  
17 Transportation Authority Police Force on July 1, 1998 and who elects membership on  
18 or before December 31, [1998] 2002;

19 (viii) who was employed by the office of the State Fire Marshal on  
20 June 30, 1998 and who elects membership on or before December 31, [1998] 2002;

21 (ix) who was employed by the Morgan State University Police Force  
22 on June 30, 1999 and who elects membership on or before December 31, [1999] 2002;

23 (x) who was employed by the BWI Airport Fire & Rescue  
24 Department on June 30, 2000, and who elects membership on or before [December  
25 29, 2000] DECEMBER 31, 2002;

26 (xi) who was employed by the Department of General Services,  
27 Department of Health and Mental Hygiene, Motor Vehicle Administration, and  
28 Department of Labor, Licensing, and Regulation Police Force on June 30, 2000 and  
29 who elects membership on or before [December 29, 2000] DECEMBER 31, 2002; or

30 (xii) who was employed by the Military Department as a firefighter  
31 at Martin State Airport on June 30, 2001, and who elects membership on or before  
32 December 31, [2001] 2002.

33 (2) To elect to be a member of the Law Enforcement Officers' Pension  
34 System, an individual shall file a written application with the State Retirement  
35 Agency.

1           (3)       If an individual does not elect membership during the applicable  
2 period specified under paragraph (1) of this subsection, the individual may not  
3 become a member of the Law Enforcement Officers' Pension System.

4       SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
5 July 1, 2002.